



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|--------------------------|------------------------|
| 10/697,939 | 10/31/2003 | Toshiaki Suzuki | 723-1448 | 8931 |
| 23117 7590 08/31/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203 | | | EXAMINER RADA, ALEX P | |
| | | | ART UNIT 3714 | PAPER NUMBER |
| | | | MAIL DATE 08/31/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,939

Applicant(s)

SUZUKI, TOSHIAKI

Examiner

Alex P. Rada

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-26 and 31-37 is/are rejected.
- 7) ☒ Claim(s) 8-11 and 27-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In response to the amendment filed July 9, 2007 wherein the applicant amends claims 1, 5-7, 19 and claims 1-37 are pending in this application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyamoto et al. (US 7,115,031).

Regarding claim 1, Miyamoto et al (Miyamoto) discloses a game system comprising a first display control programmed logic circuitry that causes first game space to be displayed on the first display (figure 1; wherein the first display is shown); and a second display control programmed logic circuitry that causes a second game space, different from the first game space to be displayed on the second display (figure 1; wherein the second display is shown), wherein based on a virtual positional relationship between the first game space and the second game space, the second display control programmed logic circuitry being operable to cause a related image of an object located in the first game space to be displayed on the second display (figures 1-5; wherein a related image located in the first and second displays are shown).

Regarding claim 19, Miyamoto discloses machine readable recording medium having a program for causing a computer to display a first game space on a first display device and a second game space on a second display device and wherein, based on virtual positional relationship between

Art Unit: 3714

the first game space and the second game space, an image related to an object located in the first game space is displayed on the second display device (figures 1-5; wherein a related image located in the first and second displays are shown).

3. Claims 1-7, 12, 17, 19-26 and 31-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Jaffe (US 6,254,481).

Regarding claims 1 and 20, Jaffe discloses a game system comprising a first display control programmed logic circuitry that causes first game space to be displayed on the first display (figure 4; wherein the first display is shown); and a second display control programmed logic circuitry that causes a second game space, different from the first game space to be displayed on the second display (figure 5; wherein the second display is shown), wherein based on a virtual positional relationship between the first game space and the second game space, the second display control programmed logic circuitry being operable to cause a related image of an object located in the first game space to be displayed on the second display (figures 4-5; wherein a related image located in the first and second displays are shown).

Regarding claims 2 and 21, Jaffe discloses wherein the first display control programmed logic circuitry causes only the first game space to be displayed in the first display, and the second display control programmed logic circuitry causes only the second game space to be displayed on the second display (figures 4-7).

Regarding claims 3 and 22, Jaffe discloses the object is a player character controllable by a player (figures 4-7; wherein the player selects a character on the first display).

Regarding claims 4 and 23, Jaffe discloses the object is a moving object (figures 4-7).

Regarding claims 5 and 24, Jaffe discloses condition judging programmed logic circuitry to determine whether predetermined conditions are satisfied; and character moving programmed logic

Art Unit: 3714

circuitry, to move a player character between the first game space and the second game space when the condition judging programmed logic circuitry determines that the predetermined conditions are satisfied; and wherein when the character location determining programmed logic circuitry determines that the player character is located in the first game space, the first display control programmed logic circuitry causes the player character to be displayed on the first display and when the character location determining programmed logic circuitry determines that the player character is located in the second game space, the second display control programmed logic circuitry causes the player character to be displayed on the second display (figures 4-7 and col. 6, line 36 – col. line 51; wherein after a player selects a character (i.e. one of the fisherman), a worm with a hook is lowered and a horde of fish surround the worm on the hook on the second display and when the fisherman reels in a fish the fish will be shown on the hook).

Regarding claims 6 and 25, Jaffe discloses wherein the second display control programmed logic circuitry causes a related image of an object located in the first game space but not located in the second game space to be displayed on the second display (figures 4-7; wherein the other fisherman's lines are not displayed on the second display).

Regarding claims 7 and 26, Jaffe discloses the first display control programmed logic circuitry includes a first storage section for storing data used for displaying the first game space (figure 2; wherein a first storage device is inherently stored within the CPU), the second control programmed logic circuitry includes a second storage section for storing data used for displaying the second game space (figure 2; where a second storage device is inherently stored within the CPU), the first storage section stores object data for displaying an object located in the first game space but not located in the second game space (figure 2; wherein the memory stores the data for the first display), the second storage section stores related image display data for displaying a related image of the

Art Unit: 3714

object located in the first game space but not located in the second game space (figure 2; wherein the memory stores the data for the second display), and based on the related image display data, the second display control programmed logic circuitry causes the related image of the object located in the first game space but not located in the second game space to be displayed on the second display (figures 4-7; wherein all of the other characters fishing lines are not shown on the second display).

Regarding claims 12 and 31, Jaffe discloses the second display control programmed logic circuitry changes a size of the related image in accordance with a virtual relative positional relationship between the object located in the first game space and the second game space (figures 4-7; wherein the view in the second display is sized different from the first display).

Regarding claims 13 and 32, Jaffe discloses a first game machine for generating image data representing the first game space and outputting the image data to the first display (figures 4-7; where a first gaming space and output image is shown); and a second game machine for generating image data representing the second game space and outputting the image data to the second display (figures 4-7; where a second gaming space and output image is shown).

Regarding claims 14 and 33, Jaffe discloses the second game machine obtains a position in the first game space of the object located in the first game space from the first game machine and, based on the obtained position, causes the related image to be displayed on the second display (figures 4-7; wherein the fishing line of the character chosen).

Regarding claims 15 and 34, Jaffe discloses the second game machine includes predicting programmed logic circuitry for predicting a position in the first game space of the object located in the first game space and, based on the predicted position, causes the related image to be displayed on the second display (figures 4-7; wherein the predicted position is the fishing line of the player character chosen).

Art Unit: 3714

Regarding claims 16 and 35, Jaffe discloses the second game machine stores a motion pattern of the object located in the first game space and based on the motion pattern, the predicting programmed logic circuitry predicts a position in the first game space of the object (figures 4-7; wherein the reeling in motion of the character based on the fish caught by the player character).

Regarding claims 17 and 36, Jaffe discloses the second game machine stores in advance a position of a fixed object fixedly located in the first game space and based on the position, causes the related image of the fixed object to be displayed (figures 4-7; wherein the fixed object is the fishing line of the player characters and when a player has chosen a character the image displayed is the worm on the hook).

Regarding claim 19, Jaffe discloses machine readable recording medium having a program for causing a computer to display a first game space on a first display device and a second game space on a second display device and wherein, based on virtual positional relationship between the first game space and the second game space, an image related to an object located in the first game space is displayed on the second display device (figures 4-5; wherein a related image located in the first and second displays are shown).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3714

5. Claims 18 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaffe (US 6,254,481) Fujimoto et al (US 6,238,291).

Jaffe discloses the claimed invention as discussed above but is silent in regards to the second game machine is a portable game machine including the second display. Fujimoto et al (Fujimoto) teaches a gaming system that is portable. By having portable gaming machine, one of ordinary skill in the art would provide predictable results of expanding game play in order to play strategy oriented thinking games.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Jaffe to include a portable game machine including the second display as taught by Fujimoto to provide predictable results of expanding game play in order to play strategy oriented thinking games.

Allowable Subject Matter

6. Claims 8-11 and 27-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

The examiner notes that giving the claims their broadest reasonable interpretation Jaffe disclose applicant's claimed invention as discussed above.


Art Unit: 3714

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Robert E. Pezzuto
Supervisory Patent Examiner
Art Unit 3714


APR